

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MIGUEL HERNANDEZ-VALDEZ,

Petitioner,

v.

Civ. 12-160 LH/RHS
Cr. 10-3096 LH

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**


THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 7), filed June 14, 2012, which recommends dismissal of Petitioner Miguel Hernandez-Valdez's Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (Doc. 1). The time for filing objections expired July 2, 2012. No objections have been filed.

The Court has made a *de novo* determination and agrees with the Magistrate Judge's Proposed Findings and Recommended Disposition, and will deny Petitioner's 28 U.S.C. § 2255 Motion, and dismiss this civil proceeding with prejudice.

IT IS HEREBY ORDERED that the Proposed Findings and Recommended Disposition of the Magistrate Judge (**Doc. 7**) are adopted by the Court and Petitioner's Objections are hereby denied.

IT IS FURTHER ORDERED that the Motion Under 28 U.S.C. § 2255 To Vacate, Set

Aside or Correct Sentence by a Person in Federal Custody (**Doc. 1**) is **denied** and this civil proceeding is **dismissed with prejudice**.



SENIOR UNITED STATES DISTRICT JUDGE